IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.350/2004

Union of India through Home Secretary & Others
...defendant-appellants
Versus
Prakash Chand Meena S/o Shri Ram Narayan Meena
...plaintiff-respondent

Date of Order ::: 29.11.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Tej Prakash Sharma, Counsel for appellants
Shri Reashm Bhargava, Counsel for respondent
####

By the Court:-

Heard learned counsel for both the parties.

Admittedly the learned counsel for the appellants has not formulated substantial questions of law involved in this second appeal as required under sub-section (3) of Section 100 of the Code of Civil Procedure. The second appeal was filed way-back on 3rd June, 2004. The matter was listed before this Court on 21st of September, 2004. The learned counsel for the appellants sought time and this court allowed him four weeks time to do the needful. The order dated 21st of September, 2004, passed by Hon'ble Mr. Justice A.C. Goyal (as he then was), is reproduced as under:-

> "Since substantial questions of law have not been narrated in the memo of appeal, put up

after four weeks as prayed by counsel for the appellants."

The learned counsel for the appellants admits that he has not taken any step in this regard and has not filed any application to incorporate substantial questions of law involved in this second appeal.

It appears from the conduct of the appellants that no substantial question of law is involved in this second appeal. It is a settled law that second appeal can be admitted only if substantial question of law is involved in it.

In view of the above, I find that no substantial question of law is involved in this second appeal and the same is accordingly dismissed at admission stage with no order as to costs.

(Narendra Kumar Jain) J.

//Jaiman//